

## **Quick Reference**<sup>1</sup>

### Municipal Water Law: Crosswalk from 2E2SHB 1338 to the Water Code, Ch. 90.03 RCW<sup>2</sup>

<b>Section of 2E2SHB 1338 Municipal Water Law</b> <a href="http://www.leg.wa.gov/pub/billinfo/2003-04/House/1325-1349/1338-s2_sl.pdf">http://www.leg.wa.gov/pub/billinfo/2003-04/House/1325-1349/1338-s2_sl.pdf</a>	<b><u>Chapter 90.03 RCW:</u> <u>Water code</u></b>	<b>The section addresses:</b>
1	90.03.015(4)	Definition of a muni
4	90.03.260(4 and 5)	Service connections / population not a limiting attribute of the water right
6	90.03.330(3)	Pumps & pipes certificates in good standing
5	90.03.386	DOH Coordination Growing Communities Doctrine (Place of Use = Service Area), Consistency with watershed and other plans Water Conservation
2	90.03.550	Muni Beneficial Uses Defined
3	90.03.560	Conformance of Certificates Changes/transfers
14	90.03.570	Inchoate Surface Muni Permits can be transferred under RCW 90.03.380 providing conditions are met
15	90.03.580	Failing public water system defined
16	90.03.590	Muni / Watershed agreement pilot projects
17	90.03.591	No agreements under §16 (RCW 90.03.590) after 1/1/08

<sup>1</sup> This document is intended as an aid for working with statutes related to 2E2SHB 1338, the Municipal Water Law. It is not intended as a legal interpretation or legal advice and is a paraphrase and interpretation of 1338. Consult the law and relevant statutory sections for specific wording.

<sup>2</sup> Portions of 2E2SHB 1338 affect sections of statutes other than Ch. 90.03 RCW, including Chs. 43.20, 70.119, 90.48, 90.54 and 90.82 RCW.

Municipal Water Law: Crosswalk from 2E2SHB 1338 to Statutes  
**Other than** the Water Code, Ch. 90.03 RCW<sup>3</sup>

Section of 2E2SHB 1338 Municipal Water Law <a href="http://www.leg.wa.gov/pub/billinfo/2003-04/House/1325-1349/1338-s2_sl.pdf">http://www.leg.wa.gov/pub/billinfo/2003-04/House/1325-1349/1338-s2_sl.pdf</a>	Relevant RCW	The section addresses:
7	<a href="#">Chapter 70.119A RCW - Washington's Safe Drinking Water Act</a> (Public water supply systems — operators) (DOH lead)	<p><u>Water use efficiency:</u></p> <ul style="list-style-type: none"> <li>• DOH develops rules by 12/31/05</li> <li>• Planning requirements</li> <li>• Leakage standards</li> <li>• Performance requirements</li> <li>• Establish an advisory committee</li> </ul>
8	RCW 43.20.260 Review of water system plan, requirements -- Municipal water suppliers, retail service <a href="#">Chapter 43.20 RCW: State board of health</a> (DOH lead)	<ul style="list-style-type: none"> <li>• Water service needs to be <u>consistent</u> with local land use plans.</li> <li>• <u>Duty to serve</u> in a <u>timely and reasonable</u> manner</li> </ul>
9	<a href="#">Chapter 90.82 RCW: Watershed planning (formerly water resource management)</a>	<p>In Watershed Planning detailed implementation plan (Phase 4):</p> <ul style="list-style-type: none"> <li>• Assess how inchoate municipal water will meet future needs.</li> <li>• Ask holders of water rights for municipal water supply purposes to participate.</li> <li>• DOH annually compiles list of water system plans coming up during the coming year.</li> <li>• DOH consults CTED, DFW, and Ecology and identifies where further coordination is needed between water system and watershed planning and develop a workplan for conducting the coordination.</li> </ul>

<sup>3</sup> Portions of 2E2SHB 1338 affect sections of statutes other than Ch. 90.03 RCW, including Chs. 43.20, 70.119, 90.48, 90.54 and 90.82 RCW.

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10	<a href="#">Chapter 90.54 RCW: Water resources act of 1971</a>	Prioritize funding for stream flow where exercise of inchoate water rights may have an effect
11	RCW 90.48.495 <a href="#">Chapter 90.48 RCW: Water pollution control</a>	Sewage plans to include discussion of conservation
12	RCW 90.48.112 <a href="#">Chapter 90.48 RCW: Water pollution control</a>	Plans submitted under 90.48.110 (Sewage plans) must consider reclaimed water.
13	90.46.120 <a href="#">Chapter 90.46 RCW: Reclaimed water use</a>	In water supply or coordinated water system planning, evaluate reclaimed water opportunities. Utilities serving less than 1,000 connections are exempted.
18	70.119A.110 (Public water systems — penalties and compliance <a href="#">Chapter 70.119A RCW - Washington's Safe Drinking Water Act</a> (DOH lead)	§(6)(f) provides for DOH to charge municipal water suppliers an additional annual fee equivalent to \$0.25 per residential connection for funding conservation activities.
19		If any part of 1338 is held invalid, the remainder is still in effect.